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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,731	09/26/2003	Gordon Maurice Armstrong	5200-4407-3A	6633

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EXAMINER

ROSE, ROBERT A

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,731

Applicant(s)

ARMSTRONG, GORDON
MAURICE

Examiner

Robert Rose

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/23/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Receipt is acknowledged of Applicant's Prior Art Statement, filed December 23, 2003.
2. Claims 1-17 are presented for examination.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zwirek . Zwirek discloses a combined abrasive drum and guide roller which acts as a follower to contact a template to guide the abrasive drum across the work. It is the examiner's view that it would have been obvious to those of ordinary skill in the art to secure the abrasive band in Zwirek to the underlying drum by any known suitable means, which would include a conventional adhesive, such as contact cement. No new or unexpected results are achieved by securing the abrasive to the rigid drum in this manner. To utilize a solvent free adhesive such as contact cement to removably secure the abrasive sheet to the cylinder, to allow for easy replacement of the abrasive when worn would have been at most an obvious matter of design choice. The degree of runout of the metal support member would depend upon the required tolerances of the final product, and would have amounted to no more than an obvious matter of design choice to those of ordinary skill in the art.

5. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zwirek in view of Emerson. Emerson discloses an abrasive wheel having a pair of guide roller template followers on opposite sides of the abrasive wheel which contact respective template surfaces to

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guide the abrasive wheel on both sides for better accuracy in grinding. To provide guide rollers on opposite sides of the spindle in the apparatus of Zwirek, engageable with a pair of templates to provide a more accurate reproduction of the template shape on the workpiece would have been obvious in view of Emerson.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wickman is cited of interest to show a sanding tool with abrasive sleeve which has a close fit with it's underlying cylindrical support. Casillas et al('652) is cited to show a sanding wheel with follower mounted on a coaxial bearing. Godwin et al is cited to show a sanding wheel with opposed bearings.

7. Any inquiry concerning this communication should be directed to Robert Rose at telephone number (703) 308-1360.

rr

September 22, 2004.


ROBERT A. ROSE
PRIMARY EXAMINER
ART UNIT 323